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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,407	07/21/2003	Hirofumi Namikawa	81710.0255	6804

26021 7590 07/27/2007  
HOGAN & HARTSON L.L.P.  
1999 AVENUE OF THE STARS  
SUITE 1400  
LOS ANGELES, CA 90067

EXAMINER
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BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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07/27/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/624,407

**Applicant(s)**

NAMIKAWA ET AL.

**Examiner**

Michael Burleson

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11, 12, 15 and 18 is/are allowed.
- 6) ☒ Claim(s) 1, 4-6, 9, 10, 13, 14, 16, 17, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 05/09/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) was submitted on 05/09/2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,4-6,9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Megawa et al. US 2003/0123033.

Art Unit: 2625

3. Regarding claim 1, Megawa et al. teaches of a color image processing device comprising: n line sensors which are arranged with a prescribed interval L between one another (page 3, paragraph 0062). Megawa et al. teaches an image signal output unit which outputs image signals under a prescribed cycle from the line sensors (page 3, paragraphs 0067). Megawa et al. teaches of a line memory which stores the image signals for a plurality of lines and outputs the image signals with a delay (page 3, paragraph 0070). Megawa et al. teaches of a control unit which controls to input one of the image signals of a certain cycle into the line memory, and to output an image signal from the line memory by delaying a certain number of lines, in accordance with a prescribed rate of magnification (page 5, paragraphs 0097-0100).

4. Regarding claim 4, Megawa et al. teaches wherein three line sensors are provided to scan an image of a Red component, a Green component, and a Blue component respectively (page 3, paragraph 0067).

5. Regarding claim 5, Megawa et al. teaches an analog to digital converter which converts analog image signals output from each of the line sensors into digital image signals (page 3, paragraph 0062).

6. Regarding claim 6, Megawa et al. teaches of a color image processing device comprising: means for scanning a line image provided in n number of rows with a prescribed interval L between one another (page 3, paragraph 0062-0067). Megawa et al. teaches means for outputting image data from the means for scanning the line image under a prescribed cycle (page 3, paragraphs 0067). Megawa et al. teaches means for storing image data for a plurality of lines and outputting the image data with a delay

Art Unit: 2625

(page 3,paragraph 0070). Megawa et al. teaches means for controlling to realize a prescribed rate of magnification N by inputting image data of a certain cycle into the means for storing, and outputting the image data from the means for storing by delaying a certain number of lines, wherein the prescribed cycle is a prescribed number of times of a cycle in which the image data is output from the means for storing (page 5, paragraphs 0097-0100).

7. Regarding claim 9, Megawa et al. teaches wherein three means for scanning are provided to scan image of a Red component, a Green component and a Blue component respectively (page 3,paragraph 0067).

8. Regarding claim 10, Megawa et al. teaches means for converting analog image signals output from each of the means for scanning in to digital image signals (page 3,paragraph 0062).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 13,14,16,17,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megawa et al. US 2003/0123033 in view of Sakano US 5771104.

11. Regarding claim 13, Megawa et al. teaches all of the limitations of claim 1.

Art Unit: 2625

12. Megawa et al. fails to teach of a shading correction circuitry for correcting shaded data.

13. Sakano teaches of a shading correction circuitry for correcting shaded data (column 4, lines 11-19).

14. The image processor of Megawa et al. could have easily been modified with the input data correction unit of Sakano. This modification would have been obvious to one skilled in the art at the time of the invention in order to correct for shading of the input data.

15. Regarding claim 14, Megawa et al. teaches all of the limitations of claim 6.

16. Megawa et al. fails to teach of a shading correction circuitry for correcting shaded data.

17. Sakano teaches of a shading correction circuitry for correcting shaded data (column 4, lines 11-19).

18. The image processor of Megawa et al. could have easily been modified with the input data correction unit of Sakano. This modification would have been obvious to one skilled in the art at the time of the invention in order to correct for shading of the input data.

19. Regarding claim 16, Sakano teaches wherein the rate of magnification is 50% (column 7, lines 9-18).

20. Regarding claim 17, Sakano teaches wherein the rate of magnification is 50% (column 7, lines 9-18).

Art Unit: 2625

21. Regarding claim 19, Sakano teaches wherein the rate of magnification is 200% (column 7, lines 9-40).

22. Regarding claim 20, Sakano teaches wherein the rate of magnification is 200% (column 7, lines 9-40).

***Allowable Subject Matter***

23. Claims 11, 12, 15 and 18 are allowed.

24. Regarding claim 11, prior art fails to teach of calculating a number of pixels  $N$ .  $L/P$  which increases and decreases by the a rate of magnification for each of colors in accordance with the rate of magnification and a pixel pitch  $P$  in a sub scanning direction during a scanning operation under 100% magnification.

25. It is inherent that claims 12, 15 and 18 are allowable for depending on an allowable independent claim.

26. Claims 2, 3, 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

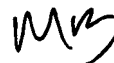
Art Unit: 2625

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached at (571) 272-7406



KIMBERLY WILLIAMS  
PRIMARY PATENT EXAMINER

Michael Burleson  
Patent Examiner  
Art Unit 2626



MIb  
July 22, 2007